

Practitioner's Docket No. BTI-184



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USSN: 10/077,922

Date Filed: February 19, 2002

Name of Applicant: Jeffrey L. Helfer et al.

Title of Invention: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Supervisory Patent Examiner, Unit 2872

#10  
B. Webb  
10/23/03  
RECEIVED  
AUG 11 2003  
TC 2800 MAIL ROOM

REQUEST FOR CORRECTION OF INVENTORSHIP OF APPLICATION  
(37 C.F.R. Section 1.48)

1. This is a REQUEST for correction of error in a [ ] misjoinder or [X] nonjoinder of inventors in the above issued patent. It is respectfully requested that the PTO make the correction.

2. Enclosed herewith is (37 C.F.R. Section 1.48 (a)):

A. A statement from each person who is being added as an inventor that the inventorship error occurred without any deceptive intention on his or her part.

B. A statement from the current named inventors who have not submitted a statement under A above agreeing to the change in inventorship.

3. Also enclosed is the written consent of the assignee.

MAILED

AUG 27 2003

A statement under 37 C.F.R. Section 3.73(b), establishing the right of the assignee to take action, is also enclosed.

GROUP 3

4. The fee required (37 C.F.R. Section 1.17(i)) is paid as follows:

A check for \$ 130.00 is enclosed herewith; please debit any additional amount or credit any overpayment to Deposit Account No. 50-2737.

03/08/2003 STEUMEL1 00000082 10077922

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130.00 OP

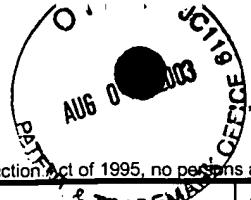
Date:

8/5/03

Dan

**Duane C. Basch  
Registration No. 34,545  
Basch & Nickerson LLP  
1777 Penfield Road  
Penfield, NY 14625  
US  
585-899-3970  
Customer No. 37211**

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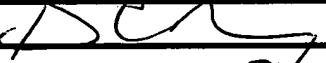


# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/077,922	
	Filing Date	February 19, 2002	
	First Named Inventor	Jeffrey L. Helfer	
	Art Unit	2872	
	Examiner Name		
Total Number of Pages in This Submission	23	Attorney Docket Number	BTI-18

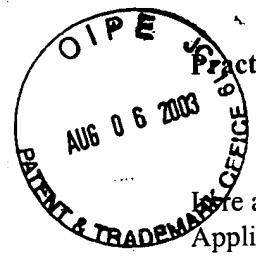
TC 2800 MAIL  
 AUG 1 2003  
 FEE ENCL  
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<b>ENCLOSURES (Check all that apply)</b>						
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): See the attached additional enclosures	Remarks			
			Enclosed are the various documents to request a Correction of Inventorship of Application for the above-referenced application. If any additional fees are required, please charge to Basch & Nickerson Deposit Account 50-2737.			
						MAILED
						AUG 27 2003
			<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
			Firm or Individual name	Duane C. Basch; Basch & Nickerson LLP		
			Signature			
			Date	8/5/03		

<b>CERTIFICATE OF TRANSMISSION/MAILING</b>		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below Washington, DC 20231 on this date:		
Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



08-07-03

2872 \$

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Filing application of: Jeffrey L. Helfer et al.

Application No.: 10/077,922

Confirmation No: 6499

Filed: 2/19/2002

Group No.: 2872

Examiner:

For: An Electromagnetic Interference Immune Tissue Invasive System

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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## EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EL 988690700US

Date of Deposit: 8/6/03I hereby state that the following *attached* paper or fee:

MAILED

Certificate of Express Mailing

AUG 27 2003

Transmittal Form

GROUP 3700

Request for Correction of Inventorship of Application

Declaration

Statement of Non-Deceptive Intent by Person Being Added by Petition to Change Inventorship in Application

Statement Agreeing to Change of Inventorship in Application By Correctly Named Inventors

Consent of Assignee to Change of Inventorship in Application

Statement under 37 CFR 3.73 (b)

Fee Transmittal

Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

If any additional fees are due, please charge to Deposit Account 50-2737.

PERSON MAILING THE APPLICATION:

Basch &amp; Nickerson LLP

1777 Penfield Road

Penfield, New York 14625

(585) 899-3970

SIGNATURE OF MAILER:

Suzanne T. Stockman

Duane C. Basch, Esq. (Reg. No. 34,545)

Michael J. Nickerson (Reg. No. 33,265)

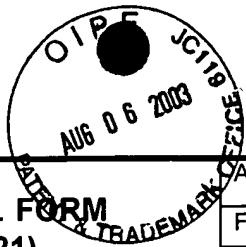
Alan R. Reinnagel

 Suzanne T. Stockman

Dollie C. Masters

Donna N. Parsons

Other:



<b>TRANSMITTAL FORM (PTO/SB/21)</b>	Application Number	10/077,922
	Filing Date	February 19, 2002
	First Named Inventor	Jeffrey L. Helfer
	Art Unit	2872
	Examiner Name	
	Attorney Docket Number	BTI-18
ADDITIONAL ENCLOSURES		

Certificate of Express Mailing

Transmittal Form

Request for Correction of Inventorship

Declaration

Statement of Non-Deceptive Intent

Statement Agreeing to Change In Inventorship

Consent of Assignee to Change in Inventorship

Statement under 37 CFR 3.73 b

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AUG 27 2003  
GROUP 3, 30



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# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	10/077,922
Filing Date	February 19, 2002
First Named Inventor	Jeffrey L. Helfer
Examiner Name	
Art Unit	2872
Attorney Docket No.	BTI-18

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account:

Deposit Account Number	50-2737
Deposit Account Name	Basch & Nickerson LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)		Request for Correction of Inventorship	130.00

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 130.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Duane C. Basch	Registration No. (Attorney/Agent)	34,545	Telephone	585-899-3970
Signature	8/5/03				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.